

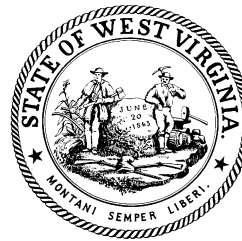
West Virginia Department of Environmental Protection

Joe Manchin, III
Governor

Division of Air Quality

Randy C. Huffman
Cabinet Secretary

Permit to Modify



R13-2322C

This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45 C.S.R. 13 — Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation. The permittee identified at the facility listed below is authorized to construct the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.

Issued to:

St. Marys Refining Company
St. Marys Terminal
073-00002

John A. Benedict
Director

Issued: DRAFT • Effective: DRAFT

This permit will supercede and replace Permit R13-2322B.

Facility Location: St. Marys, Pleasants County, West Virginia

Mailing Address: PO Box 392
St. Marys, WV 26170

Facility Description: Bulk gasoline, diesel, and ethanol storage and transfer facility

SIC Codes: 5171

UTM Coordinates: 482.2 km Easting • 4,359.41 km Northing • Zone 17

Permit Type: Modification

Description of Change:

Installation of two new ethanol storage tanks and replacement of the existing loading racks with a new loading rack and vapor recovery unit.

Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [§§ 22B-1-1 et seq.], Chapter 22B of the Code of West Virginia. West Virginia Code §22-5-14.

The source is subject to 45CSR30. Changes authorized by this permit must also be incorporated into the facility's Title V operating permit. Commencement of the operations authorized by this permit shall be determined by the appropriate timing limitations associated with Title V permit revisions per 45CSR30.

Table of Contents

| | | |
|---|---|--|
| 1.0. | Emission Units | |
| 2.0. | General Conditions | |
| 2.1. | Definitions | |
| 2.2. | Acronyms | |
| 2.3. | Authority | |
| 2.4. | Term and Renewal | |
| 2.5. | Duty to Comply | |
| 2.6. | Duty to Provide Information | |
| 2.7. | Duty to Supplement and Correct Information | |
| 2.8. | Administrative Permit Update | |
| 2.9. | Permit Modification | |
| 2.10. | Major Permit Modification | |
| 2.11. | Inspection and Entry | |
| 2.12. | Emergency | |
| 2.13. | Need to Halt or Reduce Activity Not a Defense | |
| 2.14. | Suspension of Activities | |
| 2.15. | Property Rights | |
| 2.16. | Severability | |
| 2.17. | Transferability | |
| 2.18. | Notification Requirements | |
| 2.19. | Credible Evidence | |
| 3.0. | Facility-Wide Requirements | |
| 3.1. | Limitations and Standards | |
| 3.2. | Monitoring Requirements | |
| 3.3. | Testing Requirements | |
| 3.4. | Recordkeeping Requirements | |
| 3.5. | Reporting Requirements | |
| 4.0. | Source-Specific Requirements | |
| 4.1. | Limitations and Standards | |
| 4.2. | Monitoring Requirements | |
| 4.3. | Testing Requirements | |
| 4.4. | Recordkeeping Requirements | |
| 4.5. | Reporting Requirements | |
| CERTIFICATION OF DATA ACCURACY | | |

1.0 Emission Units

| Emission Unit ID | Emission Point ID | Emission Unit Description | Year Installed | Design Capacity | Control Device |
|------------------|-------------------|---------------------------|---------------------------------|--|------------------------|
| T501 | T501 | Gasoline Storage Tank | Installed 1979 Modified 2000 | 2,100,000 gal. | N |
| T502 | T502 | Gasoline Storage Tank | Installed 1979 Modified 2000 | 2,100,000 gal. | N |
| T503 | T503 | Gasoline Storage Tank | 1979 | 1,260,000 gal | N |
| T601 | T601 | Ethanol Storage Tank #1 | 2009 | 39,500 gal. | N |
| T602 | T601 | Ethanol Storage Tank #2 | 2009 | 39,500 gal. | N |
| TT3 | TT3 | Loading Rack #3 | 2010 | 249,000 gpd gasoline 150,000 gpd diesel | Vapor Recovery Unit |
| | | | | | |
| | | | | | |
| | | | | | |

2.0. General Conditions

2.1. Definitions

- 2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.
- 2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.
- 2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45 CSR § 30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.

2.2. Acronyms

| | | | |
|-----------------------------|---|-------------------------|--|
| CAAA | Clean Air Act Amendments | NO_x | Nitrogen Oxides |
| CBI | Confidential Business Information | NSPS | New Source Performance Standards |
| CEM | Continuous Emission Monitor | PM | Particulate Matter |
| CES | Certified Emission Statement | PM_{2.5} | Particulate Matter less than 2.5µm in diameter |
| C.F.R. or CFR | Code of Federal Regulations | PM₁₀ | Particulate Matter less than 10µm in diameter |
| CO | Carbon Monoxide | Ppb | Pounds per Batch |
| C.S.R. or CSR | Codes of State Rules | pph | Pounds per Hour |
| DAQ | Division of Air Quality | ppm | Parts per Million |
| DEP | Department of Environmental Protection | Ppmv or ppmv | Parts per million by volume |
| dscm | Dry Standard Cubic Meter | PSD | Prevention of Significant Deterioration |
| FOIA | Freedom of Information Act | psi | Pounds per Square Inch |
| HAP | Hazardous Air Pollutant | SIC | Standard Industrial Classification |
| HON | Hazardous Organic NESHAP | SIP | State Implementation Plan |
| HP | Horsepower | SO₂ | Sulfur Dioxide |
| lbs/hr | Pounds per Hour | TAP | Toxic Air Pollutant |
| LDAR | Leak Detection and Repair | TPY | Tons per Year |
| M | Thousand | TRS | Total Reduced Sulfur |
| MACT | Maximum Achievable Control Technology | TSP | Total Suspended Particulate |
| MDHI | Maximum Design Heat Input | USEPA | United States Environmental Protection Agency |
| MM | Million | UTM | Universal Transverse Mercator |
| MMBtu/hr or mmbtu/hr | Million British Thermal Units per Hour | VEE | Visual Emissions Evaluation |
| MMCF/hr or mmcf/hr | Million Cubic Feet per Hour | VOC | Volatile Organic Compounds |
| NA | Not Applicable | VOL | Volatile Organic Liquids |
| NAAQS | National Ambient Air Quality Standards | | |
| NESHAPS | National Emissions Standards for Hazardous Air Pollutants | | |

2.3. Authority

This permit is issued in accordance with West Virginia Air Pollution Control Law W.Va. Code §§22-5-1 et seq. and the following Legislative Rules promulgated thereunder:

- 2.3.1. 45CSR13 – *Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation;*

2.4. Term and Renewal

- 2.4.1. This permit supercedes and replaces previously issued Permit R13-2322B. This permit shall remain valid, continuous and in effect unless it is revised, suspended, revoked or otherwise changed under an applicable provision of 45CSR13 or any applicable legislative rule.

2.5. Duty to Comply

- 2.5.1. The permitted facility shall be constructed and operated in accordance with the plans and specifications filed in Permit Application R13-2322, R13-2322A, R13-2322B and R13-2322C and any modifications, administrative updates, or amendments thereto. The Secretary may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to; **[45CSR§§13-5.11 and 13-10.3]**
- 2.5.2. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA;
- 2.5.3. Violations of any of the conditions contained in this permit, or incorporated herein by reference, may subject the permittee to civil and/or criminal penalties for each violation and further action or remedies as provided by West Virginia Code 22-5-6 and 22-5-7;
- 2.5.4. Approval of this permit does not relieve the permittee herein of the responsibility to apply for and obtain all other permits, licenses and/or approvals from other agencies; i.e., local, state and federal, which may have jurisdiction over the construction and/or operation of the source(s) and/or facility herein permitted.

2.6. Duty to Provide Information

The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for administratively updating, modifying, revoking or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.

2.7. Duty to Supplement and Correct Information

Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.

2.8. Administrative Update

The permittee may request an administrative update to this permit as defined in and according to the procedures specified in 45CSR13.

[45CSR§13-4]

2.9. Permit Modification

The permittee may request a minor modification to this permit as defined in and according to the procedures specified in 45CSR13.

[45CSR§13-5.4.]

2.10. Major Permit Modification

The permittee may request a major modification as defined in and according to the procedures specified in 45CSR14 or 45CSR19, as appropriate.

[45CSR§13-5.1]

2.11. Inspection and Entry

The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:

- a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;
- d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

2.12. Emergency

- 2.12.1. An "emergency" means any situation arising from sudden and reasonable unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission

limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

- 2.12.2. Effect of any emergency. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of Section 2.12.3 are not met.
- 2.12.3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and,
 - d. The permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice must contain a detailed description of the emergency, any steps taken to mitigate emission, and corrective actions taken.
- 2.12.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.
- 2.12.5. The provisions of this section are in addition to any emergency or upset provision contained in any applicable requirement.

2.13. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it should have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

2.14. Suspension of Activities

In the event the permittee should deem it necessary to suspend, for a period in excess of sixty (60) consecutive calendar days, the operations authorized by this permit, the permittee shall notify the Secretary, in writing, within two (2) calendar weeks of the passing of the sixtieth (60) day of the suspension period.

2.15. Property Rights

This permit does not convey any property rights of any sort or any exclusive privilege.

2.16. Severability

The provisions of this permit are severable and should any provision(s) be declared by a court of competent jurisdiction to be invalid or unenforceable, all other provisions shall remain in full force and effect.

2.17. Transferability

This permit is transferable in accordance with the requirements outlined in Section 10.1 of 45CSR13.
[45CSR§13-10.1]

2.18. Notification Requirements

The permittee shall notify the Secretary, in writing, no later than thirty (30) calendar days after the actual startup of the operations authorized under this permit.

2.19. Credible Evidence

Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defense otherwise available to the permittee including, but not limited to, any challenge to the credible evidence rule in the context of any future proceeding.

3.0. Facility-Wide Requirements

3.1. Limitations and Standards

- 3.1.1. **Open burning.** The open burning of refuse by any person, firm, corporation, association or public agency is prohibited except as noted in 45CSR§6-3.1.
[45CSR§6-3.1.]
- 3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause, suffer, allow or permit any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible.
[45CSR§6-3.2.]
- 3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them.
[40CFR§61.145(b) and 45CSR§34]
- 3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public.
[45CSR§4-3.1 State-Enforceable only.]
- 3.1.5. **Permanent shutdown.** A source which has not operated at least 500 hours in one 12-month period within the previous five (5) year time period may be considered permanently shutdown, unless such source can provide to the Secretary, with reasonable specificity, information to the contrary. All permits may be modified or revoked and/or reapplication or application for new permits may be required for any source determined to be permanently shutdown.
[45CSR§13-10.5.]
- 3.1.6. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45 C.S.R. 11.
[45CSR§11-5.2.]

3.2. Monitoring Requirements

[Reserved]

3.3. Testing Requirements

- 3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in

this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

- a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63 in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4 or 45CSR§13-5.4 as applicable.
- b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4 or 45CSR§13-5.4 as applicable.
- c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.
[WV Code § 22-5-4(a)(15)]

3.4. Recordkeeping Requirements

- 3.4.1. **Retention of records.** The permittee shall maintain records of all information (including monitoring data, support information, reports and notifications) required by this permit recorded in a form suitable and readily available for expeditious inspection and review. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation. The files shall be maintained for at least five (5) years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent two (2) years of data shall be maintained on site. The remaining three (3) years of data may be maintained off site, but must remain accessible within a reasonable time. Where appropriate, the permittee may maintain records electronically (on a computer, on computer floppy disks, CDs, DVDs, or magnetic tape disks), on microfilm, or on microfiche.

- 3.4.2. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.

[45CSR§4. State-Enforceable only.]

3.5. Reporting Requirements

- 3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.
- 3.5.2. **Confidential information.** A permittee may request confidential treatment for the submission of reporting required by this permit pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.
- 3.5.3. **Correspondence.** All notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, or mailed first class with postage prepaid to the address(es) set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

If to the DAQ:

Director
WVDEP
Division of Air Quality
601 57th Street, SE
Charleston, WV 25304-2345

If to the USEPA:

Associate Director
Office of Enforcement and Permits Review
(3AP12)
U. S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

3.5.4. **Operating Fee.**

- 3.5.4.1. In accordance with 45CSR30 – Operating Permit Program, the permittee shall submit a Certified Emissions Statement (CES) and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality. A receipt for the appropriate fee shall be maintained on the premises for which the receipt has been issued, and shall be made immediately available for inspection by the Secretary or his/her duly authorized representative.

- 3.5.5. **Emission inventory.** At such time(s) as the Secretary may designate, the permittee herein shall prepare and submit an emission inventory for the previous year, addressing the emissions from the facility and/or process(es) authorized herein, in accordance with the emission inventory submittal requirements of the Division of Air Quality. After the initial submittal, the Secretary may, based upon the type and quantity of the pollutants emitted, establish a frequency other than on an annual basis.

4.0. Source-Specific Requirements

4.1. Limitations and Standards

4.1.1. Maximum allowable VOC emissions from the gasoline tanks shall not exceed the following:

| Emission Source | Tons per Year |
|-----------------|---------------|
| T501 | 7.43 |
| T502 | 7.43 |
| T503 | 1.67 |

4.1.2 Emissions from the equipment and processes listed below shall not exceed the following:

| | VOC | | Total Hap | |
|------------------------|--------------|--------------|-------------|-------------|
| | lb/hr | tpy | lb/hr | tpy |
| Loading Rack-Gasoline | 11.04 | 11.97 | 0.51 | 0.55 |
| Loading Rack-Den. Eth. | 1.23 | 1.46 | 0.02 | 0.02 |
| Loading Rack - Diesel | 0.30 | 0.22 | 0.18 | 0.13 |
| Fugitives | 0.31 | 1.35 | 0.02 | 0.07 |
| T601 | 6.22 | 1.73 | 0.08 | 0.02 |
| T602 | 6.22 | | 0.08 | |
| Total | 25.32 | 16.73 | 0.89 | 0.79 |

4.1.3 Gasoline and fuel ethanol (combined) loadout from Loading Rack No. 3 (TT3) shall not exceed 249,000 gallons per day nor 82,000,000 gallons per year. The annual limit shall be based on a 12 month rolling total.

4.1.4 Diesel loadout from TT3 shall not exceed 150,000 gallons per day nor 40,000,000 gallons per year. The annual limit shall be based on a 12 month rolling total.

4.1.5 Emissions resulting from the load out of gasoline and fuel ethanol at TT3 shall be controlled by a vapor recovery unit (1C) and shall not exceed 35 mg of Total Organic Compounds per liter of gasoline loaded out.

[40 CFR§60.502(b)]

4.1.6 Fuel ethanol throughput in tanks T601 and T602 shall not exceed a combined total of 1,000,000 gallons per month nor 10,000,000 gallons per year. The annual limit shall be based on a 12 month rolling total.

- 4.1.7 Preventive maintenance shall be performed on the vapor recovery unit at least every six months to ensure proper working order.
- 4.1.8 The facility shall comply with all applicable provisions of 40 CFR 60 Subpart Kb including but not limited to the following:
 - 4.1.8.1 The owner or operator of each storage vessel constructed, reconstructed, or modified after July 23, 1984, to which 40 C.F.R. Part 60, Subpart Kb applies, either with a design capacity greater than or equal to 151 m³ containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 5.2 kPa but less than 76.6 kPa or with a design capacity greater than or equal to 75 m³ but less than 151 m³ containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 27.6 kPa but less than 76.6 kPa, shall equip each storage vessel with one of the following:
 - 4.1.8.1.1 A fixed roof in combination with an internal floating roof meeting the following specifications:
 - 4.1.8.1.1.1 The internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside a storage vessel that has a fixed roof. The internal floating roof shall be floating on the liquid surface at all times, except during initial fill and during those intervals when the storage vessel is completely emptied or subsequently emptied and refilled. When the roof is resting on the leg supports, the process of filling, emptying, or refilling shall be continuous and shall be accomplished as rapidly as possible.
 - 4.1.8.1.1.2 Each internal floating roof shall be equipped with one of the following closure devices between the wall of the storage vessel and the edge of the internal floating roof:
 - 4.1.8.1.1.2.1 A foam- or liquid-filled seal mounted in contact with the liquid (liquid-mounted seal). A liquid-mounted seal means a foam- or liquid-filled seal mounted in contact with the liquid between the wall of the storage vessel and the floating roof continuously around the circumference of the tank.
 - 4.1.8.1.1.2.2 Two seals mounted one above the other so that each forms a continuous closure that completely covers the space between the wall of the storage vessel and the edge of the internal floating roof. The lower seal may be vapor-mounted, but both must be continuous.
 - 4.1.8.1.1.2.3 A mechanical shoe seal. A mechanical shoe seal is a metal sheet held vertically against the wall of the storage vessel by springs or weighted levers and is connected by braces to the floating roof. A flexible coated fabric (envelope) spans the annular space between the metal sheet and the floating roof.
 - 4.1.8.1.1.3 Each opening in a noncontact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents is to provide a projection below the liquid surface.

- 4.1.8.1.1.4 Each opening in the internal floating roof except for leg sleeves, automatic bleeder vents, rim space vents, column wells, ladder wells, sample wells, and stub drains is to be equipped with a cover or lid which is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. The cover or lid shall be equipped with a gasket. Covers on each access hatch and automatic gauge float well shall be bolted except when they are in use.
- 4.1.8.1.1.5 Automatic bleeder vents shall be equipped with a gasket and are to be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports.
- 4.1.8.1.1.6 Rim space vents shall be equipped with a gasket and are to be set to open only when the internal floating roof is not floating or at the manufacturer's recommended setting.
- 4.1.8.1.1.7 Each penetration of the internal floating roof for the purpose of sampling shall be a sample well. The sample well shall have a slit fabric cover that covers at least 90 percent of the opening.
- 4.1.8.1.1.8 Each penetration of the internal floating roof that allows for passage of a column supporting the fixed roof shall have a flexible fabric sleeve seal or a gasketed sliding cover.
- 4.1.8.1.1.9 Each penetration of the internal floating roof that allows for passage of a ladder shall have a gasketed sliding cover.
- 4.1.8.1.2 An external floating roof. An external floating roof means a pontoon-type or double-deck type cover that rests on the liquid surface in a vessel with no fixed roof. Each external floating roof must meet the following specifications:
 - 4.1.8.1.2.1 Each external floating roof shall be equipped with a closure device between the wall of the storage vessel and the roof edge. The closure device is to consist of two seals, one above the other. The lower seal is referred to as the primary seal, and the upper seal is referred to as the secondary seal.
 - 4.1.8.1.2.1.1 The primary seal shall be either a mechanical shoe seal or a liquid-mounted seal. Except as provided in §60.113b(b)(4) [Section 4.3.1. (b)(4)], the seal shall completely cover the annular space between the edge of the floating roof and tank wall.
 - 4.1.8.1.2.1.2 The secondary seal shall completely cover the annular space between the external floating roof and the wall of the storage vessel in a continuous fashion except as allowed in §60.113b(b)(4) [Section 4.3.1 (b)(4)].
 - 4.1.8.1.2.2 Except for automatic bleeder vents and rim space vents, each opening in a noncontact external floating roof shall provide a projection below the liquid surface. Except for automatic bleeder vents, rim space vents, roof drains, and leg sleeves, each opening in the roof is to be equipped with a gasketed cover, seal, or lid that is

to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. Automatic bleeder vents are to be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports. Rim vents are to be set to open when the roof is being floated off the roof leg supports or at the manufacturer's recommended setting. Automatic bleeder vents and rim space vents are to be gasketed. Each emergency roof drain is to be provided with a slotted membrane fabric cover that covers at least 90 percent of the area of the opening.

4.1.8.1.2.3 The roof shall be floating on the liquid at all times (i.e., off the roof leg supports) except during initial fill until the roof is lifted off leg supports and when the tank is completely emptied and subsequently refilled. The process of filling, emptying, or refilling when the roof is resting on the leg supports shall be continuous and shall be accomplished as rapidly as possible.

4.1.8.1.3 A closed vent system and control device meeting the following specifications:

4.1.8.1.3.1 The closed vent system shall be designed to collect all VOC vapors and gases discharged from the storage vessel and operated with no detectable emissions as indicated by an instrument reading of less than 500 ppm above background and visual inspections, as determined in part 60, subpart VV, §60.485(b).

4.1.8.1.3.2 The control device shall be designed and operated to reduce inlet VOC emissions by 95 percent or greater. If a flare is used as the control device, it shall meet the specifications described in the general control device requirements (§60.18) of the General Provisions (40 C.F.R. Part 60).

4.1.8.1.4 A system equivalent to those described in Section 4.1.3. (1), (2), or (3) as provided in §60.114b of 40 C.F.R. 60 Subpart Kb.

[45CSR§16, 40 C.F.R. Part 60 §112b(a)] {Tanks T501 and T502 Only}

4.1.9 The owner or operator of each storage vessel constructed, reconstructed, or modified May 18, 1978, and prior to July 23, 1984, to which 40 C.F.R. Part 60, Subpart Ka applies, which contains a petroleum liquid which, as stored, has a true vapor pressure equal to or greater than 10.3 kPa (1.5 psia) but not greater than 76.6 kPa (11.1 psia) shall equip the storage vessel with one of the following:

4.1.9.1 An external floating roof, consisting of a pontoon-type or double-deck-type cover that rests on the surface of the liquid contents and is equipped with a closure device between the tank wall and the roof edge. Except as provided in Section 4.1.4. (1)(ii)(D), the closure device is to consist of two seals, one above the other. The lower seal is referred to as the primary seal and the upper seal is referred to as the secondary seal. The roof is to be floating on the liquid at all times (i.e., off the roof leg supports) except during initial fill and when the tank is completely emptied and subsequently refilled. The process of emptying and refilling when the roof is resting on the leg supports shall be continuous and shall be accomplished as rapidly as possible.

4.1.9.1.1 The primary seal is to be either a metallic shoe seal, a liquid-mounted seal, or a vapor-mounted seal. Each seal is to meet the following requirements:

- 4.1.9.1.1.1 The accumulated area of gaps between the tank wall and the metallic shoe seal or the liquid-mounted seal shall not exceed 212 cm² per meter of tank diameter (10.0 in² per ft of tank diameter) and the width of any portion of any gap shall not exceed 3.81 cm (1 ½ in).
- 4.1.9.1.1.2 The accumulated area of gaps between the tank wall and the vapor-mounted seal shall not exceed 21.2 cm² per meter of tank diameter (1.0 in² per ft of tank diameter) and the width of any portion of any gap shall not exceed 1.27 cm (½ in).
- 4.1.9.1.1.3 One end of the metallic shoe is to extend into the stored liquid and the other end is to extend a minimum vertical distance of 61 cm (24 in) above the stored liquid surface.
- 4.1.9.1.14 There are to be no holes, tears, or other openings in the shoe, seal fabric, or seal envelope.
- 4.1.9.1.2 The secondary seal is to meet the following requirements:
 - 4.1.9.1.2.1 The secondary seal is to be installed above the primary seal so that it completely covers the space between the roof edge and the tank wall except as provided in Section 4.1.4. (1)(ii)(B).
 - 4.1.9.1.2.2 The accumulated area of gaps between the tank wall and the secondary seal used in combination with a metallic shoe or liquid-mounted primary seal shall not exceed 21.2 cm² per meter of tank diameter (1.0 in² per ft. of tank diameter) and the width of any portion of any gap shall not exceed 1.27 cm (½ in.). There shall be no gaps between the tank wall and the secondary seal used in combination with a vapor-mounted primary seal.
 - 4.1.9.1.2.3 There are to be no holes, tears or other openings in the seal or seal fabric.
 - 4.1.9.1.2.4 The owner or operator is exempted from the requirements for secondary seals and the secondary seal gap criteria when performing gap measurements or inspections of the primary seal.
- 4.1.9.1.3 Each opening in the roof except for automatic bleeder vents and rim space vents is to provide a projection below the liquid surface. Each opening in the roof except for automatic bleeder vents, rim space vents and leg sleeves is to be equipped with a cover, seal or lid which is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use or as described in Section 4.1.4. (1)(iv). Automatic bleeder vents are to be closed at all times when the roof is floating, except when the roof is being floated off or is being landed on the roof leg supports. Rim vents are to be set to open when the roof is being floated off the roof legs supports or at the manufacturer's recommended setting.
- 4.1.9.1.4 Each emergency roof drain is to be provided with a slotted membrane fabric cover that covers at least 90 percent of the area of the opening.

4.1.9.2 A fixed roof with an internal floating type cover equipped with a continuous closure device between the tank wall and the cover edge. The cover is to be floating at all times, (i.e., off the leg supports) except during initial fill and when the tank is completely emptied and subsequently refilled. The process of emptying and refilling when the cover is resting on the leg supports shall be continuous and shall be accomplished as rapidly as possible. Each opening in the cover except for automatic bleeder vents and the rim space vents is to provide a projection below the liquid surface. Each opening in the cover except for automatic bleeder vents, rim space vents, stub drains and leg sleeves is to be equipped with a cover, seal, or lid which is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. Automatic bleeder vents are to be closed at all times when the cover is floating except when the cover is being floated off or is being landed on the leg supports. Rim vents are to be set to open only when the cover is being floated off the leg supports or at the manufacturer's recommended setting.

4.1.9.3 A vapor recovery system which collects all VOC vapors and gases discharged from the storage vessel, and a vapor return or disposal system which is designed to process such VOC vapors and gases so as to reduce their emission to the atmosphere by at least 95 percent by weight.

4.1.9.4 A system equivalent to those described in Section 4.1.4. (1), (2), or (3) of this section as provided in §60.114a.

[40 C.F.R. Part 60 §112a(a)] {Tank T503 Only}

4.1.10 The permittee shall comply with all applicable provisions of 40 CFR 60 Subpart XX including but not limited to the following:

4.1.10.1 Each affected facility shall be equipped with a vapor collection system designed to collect the total organic compound vapors displaced from tank trucks during loading.

40 C.F.R. Part 60 §502(a)

4.1.10.2 The emissions to the atmosphere from the vapor collection system due to the loading of liquid product into gasoline tank trucks are not to exceed 35 milligrams of total organic compounds per liter of gasoline loaded.

40 C.F.R. Part 60 §502(b)

4.1.11. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate all pollution control equipment listed in Section 1.0 and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.

[45CSR§13-5.11.]

4.2. Testing Requirements

4.2.1. The permittee shall comply with all applicable testing requirements of 40 CFR 60 Subpart Ka.

4.2.2 The permittee shall comply with all applicable testing requirements of 40 CFR 60 Subpart Kb.

4.2.3 The permittee shall comply with all applicable testing requirements of 40 CFR 60 Subpart XX.

4.3. Monitoring and Recordkeeping Requirements

4.3.1. **Record of Monitoring.** The permittee shall keep records of monitoring information that include the following:

- a. The date, place as defined in this permit and time of sampling or measurements;
- b. The date(s) analyses were performed;
- c. The company or entity that performed the analyses;
- d. The analytical techniques or methods used;
- e. The results of the analyses; and
- f. The operating conditions existing at the time of sampling or measurement.

4.3.2. **Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.0, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.

4.3.3. **Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.0, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:

- a. The equipment involved.
- b. Steps taken to minimize emissions during the event.
- c. The duration of the event.
- d. The estimated increase in emissions during the event.

For each such case associated with an equipment malfunction, the additional information shall also be recorded:

- e. The cause of the malfunction.
- f. Steps taken to correct the malfunction.
- g. Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.

4.3.4. In order to determine compliance with 4.1.3 and 4.1.4 of this permit, the permittee shall monitor and record the amount of gasoline, ethanol, and diesel loaded out from the new loading rack on a daily and monthly basis.

- 4.3.5 In order to determine compliance with 4.1.6 of this permit, the permittee shall monitor and record the amount of ethanol throughput in tanks T601 and T602, on a monthly basis.
- 4.3.6 The permittee shall comply with all applicable monitoring, recordkeeping and reporting requirements of 40 CFR 60 Subpart Ka.
- 4.3.7 The permittee shall comply with all applicable monitoring, recordkeeping and reporting requirements of 40 CFR 60 Subpart Kb.
- 4.3.8 The permittee shall comply with all applicable monitoring, recordkeeping and reporting requirements of 40 CFR 60 Subpart XX.
- 4.3.9 In order to determine compliance with the preventive maintenance requirements of 4.1.7 of this permit, the permittee shall have the vapor recovery unit checked for proper operation by qualified personnel and maintain a record of the date the preventive maintenance was performed and what services were provided.

CERTIFICATION OF DATA ACCURACY

I, the undersigned, hereby certify that, based on information and belief formed after reasonable inquiry, all information contained in the attached _____, representing the period beginning _____ and ending _____, and any supporting documents appended hereto, is true, accurate, and complete.

Signature¹

(please use blue ink)

Responsible Official or Authorized Representative

Date

Name and Title

(please print or type)

Name

Title

Telephone No. _____

Fax No. _____

¹ This form shall be signed by a "Responsible Official." "Responsible Official" means one of the following:

- a. For a corporation: The president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:
 - (I) the facilities employ more than 250 persons or have a gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), or
 - (ii) the delegation of authority to such representative is approved in advance by the Director;
- b. For a partnership or sole proprietorship: a general partner or the proprietor, respectively;
- c. For a municipality, State, Federal, or other public entity: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of USEPA); or
- d. The designated representative delegated with such authority and approved in advance by the Director.